

thereof may enter upon the land upon which such well is situate, and take possession of such from which water is allowed to flow or escape in violation of the provisions of section 1 of this act, and cap such well and shut in and secure the flow or escape of water therefrom, and the necessary expenses incurred in so doing shall constitute a lien upon said well, and a sufficient quantity of land surrounding the same for the convenient use and operation thereof, which lien may be foreclosed in a civil action in any court of competent jurisdiction, and the court in any such case shall allow the plaintiff a reasonable attorney's fee to be taxed as a part of the cost. This shall be in addition to the penalty provided for in section 3 of this act.

Foreclosure of
lien.

Attorney's fee.

Passed the House March 7, 1901.

Passed the Senate March 14, 1901.

Approved by the Governor, March 16, 1901.

CHAPTER CXXII.

[H. B. No. 285.]

RELATING TO SALE OR BARTER OF CERTAIN ARTICLES TO MINORS.

AN ACT making it unlawful to sell, barter or to give away to minors certain articles, providing penalties therefor, and repealing certain laws.

Be it enacted by the Legislature of the State of Washington :

SECTION 1. That it shall hereafter be unlawful in the State of Washington for any corporation, company, firm or person to sell, barter, furnish or give away, directly or indirectly, to any minor under eighteen years of age any cigarette, cigarette wrappers or any substitute for either; or to procure for, or to persuade, advise, counsel or compel any minor under said age to smoke cigarettes or for any minor under said age to smoke any cigarette.

Cigarettes—
unlawful to
sell to minors.Unlawful for
any minor to
smoke.

SEC. 2. Any such corporation, company, firm or person, violating any of the provisions of the preceding section shall, for the first offense, upon conviction thereof, be fined in any sum not more than fifty dollars, nor less than ten dollars; and for a second and any subsequent offense, such corporation, company, firm or person shall, upon conviction thereof, be fined in any sum not more than five hundred dollars nor less than ten dollars, and to which may be added imprisonment in the county jail for any period not exceeding sixty days. It is hereby made the special duty of prosecuting attorneys to enforce the provisions of this act, and he may summon any minor under eighteen years of age who may have or had had in his possession any cigarettes, and compel him to testify before the mayor of a city or a justice of the peace as to where and of whom he obtained such cigarettes.

Penalty for violation.

Special duties of prosecuting attorneys.

Conflicting laws repealed.

SEC. 3. All laws in conflict with the provisions of this act are hereby repealed.

Passed the House February 28, 1901.

Passed the Senate March 14, 1901.

Approved by the Governor March 16, 1901.

CHAPTER CXXIII.

[H. B. No. 173.]

RELATIVE TO TAKING UP AND SALE OF LOGS.

AN ACT to prevent and punish the taking up, selling, disposing of or appropriating to one's own use, logs and other timber by a person not the owner thereof; and to prevent anyone knowingly purchasing any such logs, fixing rule of evidence in prosecutions for violation thereof, providing for the retaking of such logs and other timber and for punishment for the prevention or obstruction of such retaking, providing for recovery of a forfeit by the owner for any unlawful taking, repealing sections 3135, 3291, 3292, 3293, 3294, 3295, 7126 and 7127 of Ballinger's Annotated Codes and Statutes of Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That it shall be unlawful for any corporation except boom companies who are compelled to